

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

CIVIL ACTION NO. 04-11958-RGS 2005 FEB 23 P 1:28

MARTIN J. GALVIN, JR., ED.D.,

Plaintiff,

vs.

**THE TOWN OF YARMOUTH, PETER
L. CARNES AND STEVEN XIARHOS,**

Defendants.

U.S. DISTRICT COURT
DISTRICT OF MASS.

JOINT STATEMENT

Pursuant to Local Rule 16.1, the Parties hereby propose the following Proposed Agenda for Scheduling Conference, Joint Discovery Plan and Schedule for filing motions:

I. PROPOSED AGENDA FOR SCHEDULING CONFERENCE

- A. The Parties' proposed joint discovery plan and schedule for dispositive motions.
- B. The parties have not yet decided whether they will consent to a trial before a Magistrate Judge.
- C. The Plaintiff is willing to go to mediation through an ADR program sponsored by the Federal District Court.
- D. Pending and Other Motions.

II. PROPOSED JOINT DISCOVERY PLAN AND SCHEDULE FOR DISPOSITIVE MOTIONS

- A. March 10, 2005: Plaintiff's Initial Disclosures to be completed on or before this date in accordance with Local Rule 26.2(A).
- B. January 24, 2006: All discovery, including depositions of non-expert witnesses shall be completed on or before this date.
- C. January 24, 2006: The Plaintiff shall provide expert witness disclosures in accordance with Fed. R. Civ. P. 26(a)(2) on or before this date.
- D. February 24, 2006: The Defendants shall provide expert witness disclosures in accordance with Fed. R. Civ. P. 26(a)(2) on or before this date.
- E. March 31, 2006: Expert witness depositions, if any, shall commence.
- F. April 30, 2006: Close of discovery.
- G. May 31, 2006: Dispositive motions to be filed, with oppositions to be filed by June 30, 2006.
- H. July 31, 2006: Final Pretrial Conference and Trial Date to be set by the Court.

III. PENDING MOTIONS

Defendants' Motion for the Production of State and Federal Criminal Record of the Plaintiff.

IV. OTHER MOTIONS

The Plaintiff anticipates filing a Motion for Leave to Amend his Complaint.

V. CERTIFICATION BY COUNSEL

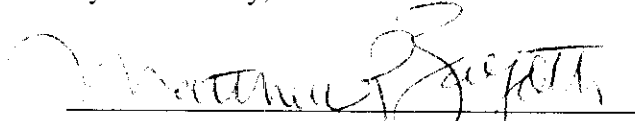
The parties will separately file certifications pursuant to Local Rule 16.1(D)(3).

PLAINTIFF MARTIN J. GALVIN, JR.,
ED.D.,

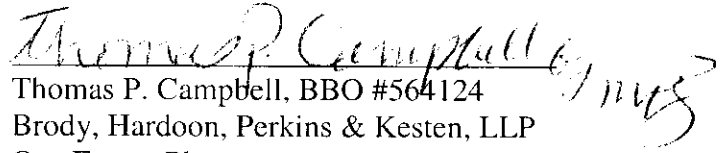
DEFENDANTS TOWN OF
YARMOUTH, PETER L. CARNES AND
STEVEN XIARHOS,

By his attorney,

By their attorney,



Matthew P. Zayotti, BBO #638265
Keegan, Werlin & Pabian, LLP
265 Franklin Street
Boston, Massachusetts 02110-3113
(617) 951-1400



Thomas P. Campbell, BBO #564124
Brody, Hardoon, Perkins & Kesten, LLP
One Exeter Plaza
Boston, Massachusetts 02116
(617) 880-7100

Dated: February 23, 2005